
Unit 3

Government Response to an Incident


Check Your Knowledge



1. What are the primary responsibilities of local, Tribal, State, and Federal governments in response to an incident?
2. Put the following steps in the correct order:
Governor's declaration request
Presidential Declaration
Incident
Preliminary Damage Assessment (PDA)
FEMA's recommendation to the President
3. What assistance is available for non-declared incidents?
4. What are FEMA's pre-declaration responsibilities to an incident?
5. What are FEMA's post-declaration responsibilities at an incident?
6. What are three types of Incidents of National Significance that may qualify for a Presidential Disaster Declaration?

Check Your Knowledge

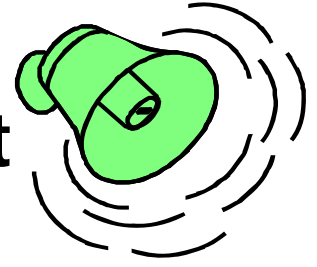
Answers

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|  | 1. | |
| | Local/Tribal | <ul style="list-style-type: none">• Serves as first line of defense in emergencies.• Warns and advises citizens.• Provides immediate aid. |
| | State/Tribal | <ul style="list-style-type: none">• Reviews and analyzes situation reports from local agencies.• Deploys appropriate State resources and personnel.• (Governor) considers appropriate economic and legal controls.• (Governor) requests Presidential Declaration. |
| | Federal | <ul style="list-style-type: none">• Oversees incident management and coordination.• Manages the Disaster Relief Fund (DRF).• Implements the disaster assistance programs.• Manages and tracks resources.• Issues mission assignments. |



2. Incident
 - Preliminary Damage Assessment
 - Governor's declaration request
 - FEMA's recommendation
 - Presidential Declaration
3. Search and rescue, flood protection, firefighting, human health, conservation, agricultural loans, home or business owner's loans, tax refunds, voluntary agency assistance.
4. Damage assessment
 - Rapid Needs Assessment (RNA)
 - Advise President
 - Deploy Federal resources
 - Contingency planning
 - Coordinate other Federal and volunteer agencies
5. Assist States in requesting additional types of assistance
 - Evaluate assistance requests
 - Implement disaster assistance programs
 - Coordinate other Federal and volunteer agencies
6. Emergency
 - Major disaster
 - Catastrophic incident

Government Response to an Incident



Overview

This section describes how local, Tribal, State, and Federal governments respond to an incident or a disaster declaration. The topics are:

- Emergency management at the local, Tribal, State, and Federal levels
- The disaster declaration process
- FEMA's role in managing disasters

At the end of this unit, you will be able to:

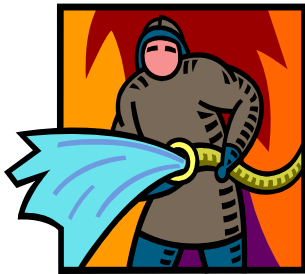
- Give three examples of types of incidents that would qualify for a Presidential Declaration.
- List two examples of local government responsibilities in response to an incident.
- List two examples of State or Tribal government responsibilities in response to an incident.
- List two examples of Federal government responsibilities in response to an incident.
- List three examples of assistance available for non-declared incidents.

The Disaster Response

When a disaster or emergency occurs, local, Tribal, State, and Federal governments, as well as voluntary agencies, respond immediately. This collective response follows a step-by-step process that has been developed and revised through legislation and through lessons learned in previous disasters. Initially, local, Tribal, and State governments activate their Emergency Operation Plans (EOPs) and Emergency Operations Centers (EOCs). Local governments are the first line of defense and are primarily responsible for managing the response to emergencies and disasters.

Local Response and Recovery Activities

At the local level of government, the primary responsibility for the protection of citizens belongs to local elected officials such as mayors, city councils, and boards of commissioners. When a local government receives a warning that an emergency could be imminent, its first priority is to warn citizens and take whatever actions are needed to minimize damage and protect life and property. If necessary, an evacuation may be ordered.



When an event or incident occurs, fire, police, medical, and rescue personnel rush to emergency sites to provide aid immediately following the emergency. The local government works to ensure public order and security. Vital services (e.g., water, power, communications, transportation, shelter, and medical care) are provided, and debris removal begins. Public and private utility company crews, along with other emergency teams, begin restoring essential services. In addition, the local government coordinates efforts with local voluntary agencies that assist individuals and families in need. When a local government responds to an emergency, the level of the response and the types of resources required are determined by several factors including the:

- Onset speed of the emergency
- Potential need for evacuation
- Magnitude of the situation
- Projected duration of the event
- Extent of the threat to the citizens

In an emergency, the local government is responsible for responding to the event in a way that will contain the emergency, protect people and property, and minimize damage. The local government is also responsible for overall management and coordination of an effective response.

State Response and Recovery Efforts

All States have laws that describe the responsibilities and authorities of the State government in emergencies and disasters. These laws provide Governors and State agencies with the authority to plan for and carry out the necessary actions to respond to and recover from emergencies. State emergency management legislation describes the duties and powers of the Governor. Gubernatorial authority includes the power to declare a State of Emergency and to decide when to terminate this declaration.

State Emergency Management Agencies

Many of the responsibilities to perform and maintain the provisions of emergency management legislation are generally delegated to the State emergency management agencies. The names and organizational structures of these offices vary from State to State. Emergency managers are responsible for advance preparation. They coordinate the activation and use of State resources which are needed to help local and Tribal governments respond to and recover from emergencies and disasters.

Role of the State Emergency Management Agency

In its coordinating role, the State emergency management agency is involved in virtually all major emergencies or disasters. This organization is responsible for receiving the situation reports from local agencies. Based on these reports and other information, emergency management officials work in consultation with other agency representatives and members of the Governor's staff to determine what types of resources and personnel should be deployed to the affected areas. Using procedures specified in the State EOP, the State emergency management organization coordinates deployment of State personnel and resources to the affected areas.

State Resources

When a State emergency is declared, the Governor (or emergency management agency official acting for the Governor) can mobilize the resources of State agencies to provide any necessary assistance. Communities can then use State resources to supplement their own supplies, equipment, and personnel. For example, in a situation in which large populated areas are threatened by the continued rise of flood waters, the State could assist in evacuation of the threatened area by prescribing evacuation routes and helping to control points of entry and departure from the disaster area.

In many States, Governors can suspend State laws or local ordinances if it is determined that the law in question will restrict or prohibit efforts to relieve human suffering caused by the disaster. In some States, after a State emergency declaration, the Governor may establish economic controls over such resources and services as food, wages, clothing, and shelter in the affected area.

Under a State emergency declaration, Governors are empowered to mobilize the National Guard and direct its efforts. Generally, Governors are granted the power to use all available State resources needed to respond effectively and efficiently to the event. The Governor is able to draw upon the resources, expertise, and knowledge of State agencies as needed to assist in the effort. In many disasters, the States can provide technical assistance and resources that would not be available to most local officials within their own communities.

Links to most State emergency management agencies can be found at the following site: **<http://www.fema.gov/gems>**. Scroll to: State Emergency Management Agencies (U.S.A.).

A State may determine its resources are overwhelmed and request Federal assistance.

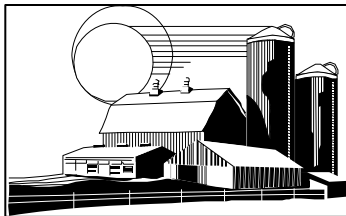
Federal Response

The Stafford Act, the NRP, and the Homeland Security Acts all give FEMA the authority to exercise certain responsibilities before and after a disaster strikes. These include:

- Deployment of Federal resources in anticipation of or response to an incident
 - Staff the **Emergency Response Team (ERT)**
 - Deliver supplies to disaster victims
 - Provide staff and expertise to disaster operations
- Coordination of incident communication, worker health, and safety
- Coordination of Federal operations
- Development of contingency plans and procedures
- Training

Federal Disaster Assistance: Non-Stafford Act

Under the Stafford Act, assistance for major disasters and emergencies is available only upon a declaration by the President. However, even when the President does not issue a major disaster or an emergency declaration, there may be certain types of assistance available through various Federal agencies including the Corps of Engineers, the Department of Agriculture, and the Small Business Administration (SBA). Without a Presidential Declaration, disaster assistance from other agencies may include any of the following:



- Urban search and rescue
- Flood protection
- Fire suppression assistance
- Health and welfare
- Emergency conservation programs
- Emergency loans for agriculture

- Disaster loans for home or business owners
- Tax refund assistance
- Voluntary agency assistance

The Declaration Process

In order to obtain a Presidential Declaration, a specific process must be followed. This process was established by the Stafford Act. It includes four steps:

Step 1. A joint FEMA/State Preliminary Damage Assessment

Step 2. The Governor's request for assistance

Step 3. FEMA's recommendation to the President

Step 4. The Presidential Declaration

- Step 1. A joint FEMA/State Preliminary Damage Assessment.** FEMA and State representatives complete a PDA. This step involves an inspection of the area to document the impact of the event and to make an initial estimate of the dollar amount of the damage. This assessment establishes a foundation for any request for assistance the Governor may decide to make and provides estimates on the types of disaster assistance needed. The assessment also provides background for FEMA's analysis of the request and supplies information that will be helpful to those who will manage the recovery operation.
- Step 2. The Governor's request for assistance.** This request, by law, must state that the Governor has taken appropriate action and directed execution of the State EOP. The Governor must certify that the incident is of such severity and magnitude that State and local resources are inadequate. It must also include a damage estimate, describe the State and local resources committed to response and recovery, describe the assistance being requested, and agree to cost- share.

Step 3. FEMA's recommendation to the President regarding the request.

The Governor's request is addressed to the President through the FEMA Regional Director. The Regional Office transmits the request to FEMA Headquarters along with an analysis and recommendation. FEMA Headquarters reviews the request to ensure it meets all the requirements of the Stafford Act. FEMA's Director then recommends a course of action to the President, and the request is hand-carried to the White House.

Step 4. The Presidential Declaration. After a White House review, the President decides whether or not to declare that a major disaster exists. In the event the declaration is issued, assistance is made available under the Stafford Act. The FEMA Director designates an FCO to oversee the disaster operations.

Under normal circumstances, this process may take several days. In cases where an immediate Federal response is needed to save lives or protect public health and safety, an expedited disaster request may start the process within hours.

FEMA's Role in Managing Disasters

Once the President declares a Federal emergency or disaster, FEMA assumes several roles in the disaster recovery process, which include the following:

- Helping State governments request additional types of disaster assistance or adding counties to the declaration.
- Evaluating requests for additional assistance.
- Making recommendations to the Executive Associate Director.
- Implementing disaster assistance programs.
- Coordinating the delivery of assistance from other Federal and voluntary agencies under the NRP.
- Continuing to manage the President's DRF.



Types of Incidents

The Stafford Act defines the kinds of incidents covered by a Presidential Declaration. It identifies two categories of eligible events:

1. Emergency. Emergencies involve any event for which the President determines there is a need to supplement State and local efforts in order to save lives, protect property and public health, and ensure safety. A variety of incidents may qualify as emergencies. The Federal assistance available for emergencies is more limited than that available for a major disaster.

An emergency is defined as, "Any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or lessen or avert the threat of a catastrophe in any part of the United States."

A Presidential Declaration of an emergency provides assistance that:

- Is beyond State and local capabilities
- Serves as supplementary emergency assistance
- Does not exceed \$5 million of Federal assistance

The Governor must request a Presidential Declaration for an emergency within 5 days of the incident.

2. Major Disaster. Major disasters may be caused by such natural events as floods, hurricanes, and earthquakes. Disasters may include fires, floods, or explosions that the President feels are of sufficient magnitude to warrant Federal assistance. Although the types of incidents that may qualify as a major disaster are limited, the Federal assistance available is broader than for emergencies.

A major disaster is defined as, "Any natural catastrophe ... or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this chapter to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby."



A Presidential Disaster Declaration provides assistance that:

- Is beyond State and local capabilities
- Supplements available resources of State and local governments, disaster relief organizations, and insurance

The Governor must request a Presidential Declaration for a major disaster within 30 days of the incident.



After the President declares a major disaster, the FEMA State Agreement is signed by the FEMA Regional Director and the Governor. This agreement establishes the period of the incident, identifies the types of assistance to be provided, lists the areas eligible for assistance, sets forth the agreed-upon cost-share provisions, and describes other terms and conditions.

The NRP defines emergencies and disasters as, "Incidents of National Significance" along with **catastrophic incidents**. Catastrophic events are also eligible for the same Federal disaster assistance and are defined as, "any natural or manmade incident, including terrorism, which results in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, and/or government functions."



Anatomy of a Disaster Declaration

The following table provides basic information about the disaster declaration process and initial Federal response activities. In catastrophic situations or incidents of national significance, the process can be expedited.

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| Incident Occurs | <p>The incident causes widespread destruction or losses that may trigger a disaster declaration. The event may be a flood, fire, hurricane, or other event as specified in disaster assistance legislation.</p> <p>While the event may be considered a disaster in a given area, as far as FEMA or other Federal agencies are concerned, no Federal recovery programs may be implemented until the President signs a Disaster Declaration. Not all incidents result in Presidential Declarations. According to the Stafford Act, response to the incident must be beyond the combined capability of local and State governments to qualify for a Declaration.</p> |
| Initial Federal Response | <p>The Regional Response Coordination Center (RRCC) is activated. Staff is deployed to the RRCC either at the Regional Office or Federal Regional Center (FRC) to provide technical assistance and coordinate with the State.</p> <p><i>The RRCC may be staffed before an incident occurs, e.g., a hurricane.</i></p> <p>The National Response Coordination Center (NRCC) is activated at FEMA Headquarters. It coordinates the deployment of the ERT-A to field locations, assesses damage information, develops situation reports, and issues initial mission assignments. The NRCC supports RRCC efforts to set up response operations in the field by deploying national assets when needed.</p> <p>The National Emergency Response Team (ERT-N) can be deployed from FEMA Headquarters by the Director of FEMA in catastrophic situations, providing staff to direct the response in support of State and FEMA regional resources.</p> |

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| Preliminary Damage Assessments | <p>The State asks FEMA, through the Regional Office, to participate in a PDA. The PDA identifies the potential need for IA, PA, or HM. Teams consisting of representatives from FEMA, the State, local governments, and other Federal or State agencies (as appropriate) review the impact on individuals and public facilities.</p> <p>PDA findings are used as the basis for the Governor's request and also are used by FEMA in developing two key documents: the Regional Disaster Summary and the Regional Analysis and Recommendation. These documents are prepared after a request for a disaster declaration is received from the Governor and completion of the PDA.</p> <p><i>In catastrophic or severe situations, the Governor's request may be submitted to FEMA prior to the PDA; thereby a declaration may be expedited.</i></p> |
| Governor's Request | <p>The Governor will request a major disaster declaration based on a determination by the State that the response is beyond the financial or operational capabilities of both the local and the State governments. The request is submitted through FEMA to the President.</p> <p><i>Once a request is received, it is considered "in process" until a determination is made by the President. This process can take a matter of hours in a catastrophic situation or several days, depending on the situation.</i></p> |
| Regional Summary/ Regional Analysis and Recommendation | <p>These documents outline the scope of the losses and make recommendations as to the needs of the disaster-affected area. The FEMA Director reviews these documents and forwards a recommendation to the President.</p> |

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| Presidential Disaster Declaration | <p>If the situation is of significant severity and magnitude to warrant a major disaster or an emergency declaration, the President signs the declaration. If, after careful review by FEMA and the White House, the situation does not meet the standards established by the Stafford Act, a request may be denied. A letter explaining the denial is sent to the Governor by the Director of FEMA. States have the right to appeal.</p> <p>When a disaster is declared by the President, the scope of the assistance programs is delineated and the affected counties are designated. The FEMA Director appoints an FCO to manage the Federal response and recovery activities.</p> |
| Joint Field Office Established | <p>The JFO is established within 48 hours of the declaration to provide a base of operations for Federal and State agencies involved in the response and recovery activities.</p> |
| FEMA/State Agreement | <p>The FEMA/State Agreement details the terms under which Federal aid is granted, including any cost-sharing provisions. This document is signed by the Governor and the FEMA Regional Director. The FCO may amend this agreement. Examples of amendments include the addition of other counties to the declaration or establishment of an end date for the incident period if one was not determined at the onset of the disaster.</p> |
| Federal/State Meeting | <p>This meeting involves representatives from all Federal, State, and voluntary agencies offering programs for people and communities affected by the disaster. The programs are explained to the State during this meeting.</p> |

Summary

All levels of government have specific procedures, authorities, and resources for emergency and disaster response. Local government has the primary responsibility for incident management. If these resources are overwhelmed, State and ultimately the Federal government may add to the response and recovery efforts. The Stafford Act outlines most of the statutes and procedures for Federal assistance including types of incidents and the Presidential Declaration process. A Presidential Declaration identifies the scope of Federal assistance that can be provided.